

December 12, 2005

James J. Carroll, III
P.O. Box 863
Windham, New Hampshire
03087-0863

U.S. District Court of Massachusetts
One Courthouse Way
Deputy Clerk
Justice George A. O'Toole
Boston, MA. 02210

Re: Case 1:05 cv-11670-GAO
Carroll, et. als, vs. Carroll, et als.
Public Corruption /Crimes Torts /RICO

Dear Deputy Clerk,

Please find notice send by fax per request of Matthew in the Clerks's Office. Enclosed notice sent dated 11/29/2005 and postmarked December 05, 2005 stating that James J. Carroll, III was removed from the case as he did not pay the requested \$125.00 before the deadline.

Please note that this notice of removal is in error as payment was made timely on Tuesday October 18, 2005 at 12:11:05 by check number 825, receipt number 321 67515 (Cashier Nappi)

Matt indicated that Gennette is out of the office and no one updated the information.

Please send a corrected updated order that this was an error and that James J. Carroll, III is active on the case as a party after complying with the orders of the court . Please send this by mail.

Thank you for your time.

Respectfully Submitted,

 12/12/05
James J. Carroll, III

Tue Oct 15 12:11:05 2005

UNITED STATES DISTRICT COURT

BOSTON, MA

Receipt No. 321 67515
Cashier nappi

Check Number: 821

DB Code Div No
4638 1

Sub Acct	Type	Tender	Amount
1:066900	M	2	30.00
2:510000	M	2	95.00

Total Amount \$ 125.00

05-11670-GAO / JAMES J. CARROLL III, PO B
OX 863,WINDHAM, NH 03087/PER COURT ORDER-PROPORT
IONATE SHARE OF FILING FEE

Tue Oct 15 12:11:05 2005

Check No. 821
Amount \$ 125.00
Pay any Federal Reserve Bank or
General Depository for credit to
United States Treasury Symbol 4638

madei

Page 1 of 1

Utility Events

1:05-cv-11670-GAO Carroll, et al v. Carroll et al

United States District Court

District of Massachusetts

Notice of Electronic Filing

The following transaction was received from PSSA1, entered on 12/2/2005 at 5:25 PM EST and filed on 12/2/2005

Case Name: Carroll, et al v. Carroll et al

Case Number: 1:05-cv-11670

Filer:

Document Number:

Docket Text:

***Party James J. Carroll, III terminated. (PSSA1)

The following document(s) are associated with this transaction:

<https://ecf.mad.circ1.dcn/cgi-bin/Dispatch.pl?318210813832603>

12/2/2005

4 * d

5958036809

J James J

Dec 12 05 01:23p

Case Name: Carroll, et al v. Carroll et al

Case Number: 1:05-cv-11670

James J. Carroll, III
P.O. Box 1041
Windham, NH 03087
|||||||

United States District Court
District of Massachusetts

Notice of Electronic Filing

The following transaction was received from PSSA1, entered on 12/2/2005 at 5:24 PM EST and filed on 11/29/2005

Case Name: Carroll, et al v. Carroll et al

Case Number: 1:05-cv-11670

Filer:

Document Number: 6

Docket Text:

Judge George A. O'Toole Jr.: FURTHER MEMORANDUM AND ORDER entered: To date, Plaintiff James J. Carroll III has failed to pay the \$125.00 filing fee as directed, and has not sought additional time to do so. Accordingly, for failure to pay the filing fee, and failure to comply with the September 23rd Memorandum and Order, it is hereby ORDERED that James J. Carroll III is dismissed without prejudice as a Co-Plaintiff in this action. The clerk is directed to correct the docket accordingly. No summonses shall issue in this action pending preliminary screening pursuant to 28 U.S.C. 1915.(PSSA1)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:yes

Electronic document Stamp:

[STAMP dcecfStamp_ID=1029851931 [Date=12/2/2005] [FileNumber=1224686-0]
] [d9bd20e28d494ca75c5cf7b991977f088b1e550b7ba3da3473c874f276691f60875
b5a84fa053376fbd3c6a039436750bec180b29f759b3c17963217ec1825e2]]

1:05-cv-11670 Notice will be electronically mailed to:

1:05-cv-11670 Notice will not be electronically mailed to:

James J. Carroll, III
P.O. Box 1041
Windham, NH 03087

Josephine M. Carroll
P.O. Box 1041
Windham, NH 03087

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOSEPHINE CARROLL, ET AL.,)	
Plaintiffs,)	
)	
v.)	
)	
)	C.A. No. 05-11670-GAO
JAMES S. CARROLL, JR., ET AL.,)	
Defendants.)	
)	
)	
)	

FURTHER MEMORANDUM AND ORDER

O'TOOLE, D.J.

On August 5, 2005, Plaintiffs Josephine Carroll and James J. Carroll III, filed a voluminous *pro se* Complaint against 50 defendants, including current and past officials, workers and members of the Massachusetts judiciary, law enforcement and other agencies and municipalities. Plaintiffs alleged, *inter alia*, a conspiracy to defraud and deprive Plaintiffs of property, as well as other civil rights violations under 42 U.S.C. § 1983 *et seq.* and state-law claims (e.g., abuse of process, malicious prosecution, theft, conversion, etc.).

By Memorandum and Order dated September 1, 2005, this Court allowed Plaintiff Josephine Carroll's Application to Proceed Without Prepayment of Fees, and directed Plaintiff James J. Carroll, III to either pay the proportionate share of the filing fee, or file a completed Application to Proceed Without Prepayment of Fees.

On September 19, 2005, Plaintiff James J. Carroll, III filed an Application to Proceed Without Prepayment of Fees (#4). On September 23, 2005 a Further Memorandum and Order (#5) issued, denying Plaintiff James J. Carroll, III's Application, and directing him to pay the

proportionate share of the filing fee (\$125.00), within thirty-five days of the date of that Memorandum and Order. Plaintiff James J. Carroll III was advised that failure to comply with this directive would result in his dismissal as a party to this action.

To date, Plaintiff James J. Carroll III has failed to pay the \$125.00 filing fee as directed, and has not sought additional time to do so. Accordingly, for failure to pay the filing fee, and failure to comply with the September 23rd Memorandum and Order, it is hereby ORDERED that James J. Carroll III is dismissed without prejudice as a Co-Plaintiff in this action. The clerk is directed to correct the docket accordingly. No summonses shall issue in this action pending preliminary screening pursuant to 28 U.S.C. § 1915.

DATED: November 29, 2005

/s/ George A. O'Toole, Jr.
GEORGE A. O'TOOLE, JR.
UNITED STATES DISTRICT JUDGE